

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

2006 AUG -9 A 9:51

Tony Fountain #152157

Plaintiff,

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

Case NO: 2:06-CV-548-MHT

VS.

DR. Peasant, et al  
Defendants.

MOTION FOR GOOD CAUSE AND/OR IN  
THE ALTERNATIVE A MOTION FOR TIME  
EXTENSION THAT WILL ALLOW THE PRISON  
BUSINESS OFFICE TO CUT  
CHECK

COMES NOW, Tony Fountain, by and through him-  
self hereby place The Court on notice of his  
attempt to comply with this Court order on  
motion of August 2 2006. plaintiff asserts  
the following facts in support of his motion  
for good cause and/or in the alternative a  
motion for enlargement of time for the Business  
Office (Prison) to cut Filing Fee check to wit:

- 1) plaintiff contends that on August  
4th 2006, he submitted a Request to

SCANNED

JD

the PRISON Business Office Requesting that the sum of \$350.00 be withdrawn from his P.M.O.D. Account and Forward to this Court. And that his Request was submitted with a self address stamped Envelope. (see Attached Exhibit - 5) also another Motion For Good Cause with the Case number styled on it.

2). plaintiff contends he did all he could do when he submitted Exhibit-5 the Request slip along with a Stamp Envelope and Motion good cause, turning his legal mail over to the Prison Authority for mailing his Court ordered Filing fee. Huston v. Lack 101 L.Ed.2d. 245 Therefore if the PRISON Business Office don't cut this check and mail it on or before August 10 2006, should be counted against the plaintiff. Because it wouldn't be no fault of plaintiff and the August 10 2006 deadline shouldn't be held against plaintiff.

3). plaintiff like to Recall the Court attention to the misleading informations inci-

dent of the source that submitted the Court Document Number 5 (Doc. No. #5) on June 27 2006 concerning my P.M.O.D. Account for the month of June 7 2005 saying I had an average daily balance of \$12,590.93.

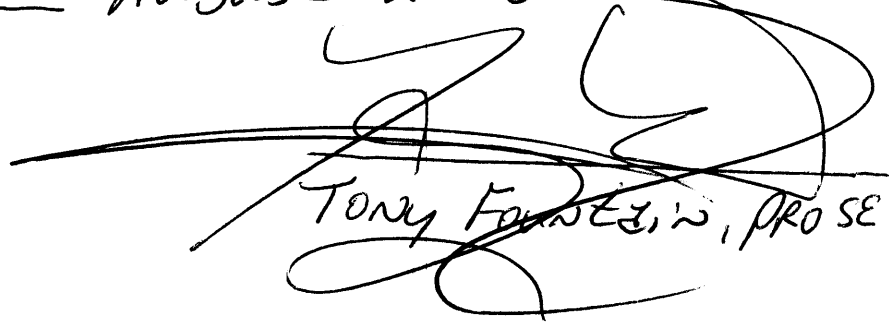
My point being that if that same source that try to misrepresent my P.M.O.D. Account, who to say that source wouldn't try to deliberately miss the August 10 2006 deadline.

Therefore, plaintiff ask the Court to extend the August 10 2006 deadline to at least August 20 2006, to ensure that source would not deliberately miss the deadline. Plaintiff stress the point that if the Court don't believe him the Court can order the Clerk to call the Prison Business Office to Enquire into whether or not Plaintiff submitted such documents. It might also speed the cutting of the check for the filing fee up.

Wherefore, Plaintiff, prays that (1) his Motion For Good Cause and/or in the alternative a motion for extension of time that would allow the Prison Business Office time to cut

the Filing Fee Check to comply with the  
order of August 2 2006, be "Granted" as  
law and Justice require.

Done on 7th August 2006



Tony Fontezin, PRO SE

### CERTIFICATE OF SERVICE

I, hereby, certify, that I have served a  
true and correct copy of the foregoing  
as addressed: OFFICE OF THE ATTORNEY  
General 11th South Union, Street, Montg.  
Al. 36130, by placing the same in the U.S.  
Mail prepaid on this 7th day of August 2006.

Sincerely

